**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION.**

**CRIMINAL APPLICATION NO.7798 OF 2005**

**IN**

**CRIMINAL APPEAL NO.1119 OF 2005**

Shri Arvind Anant Dolas : Applicant.

versus

State of Maharashtra : Respondent.

Mr.Subodh Desai for the applicant.

Smt.V.R.Bhosale, APP, for the Respondent.

**CORAM : D.G.DESHPANDE**

**V.K.TAHILRAMANI JJ.**

**DATED : MARCH 28, 2006.**

**P.C.**

1. Heard advocate for the applicant - original accused No.3 and the learned APP for the State. This application is for bail. The applicant - original accused was acquitted of the offence punishable under Section 120-B of the

Indian Penal Code, but he was convicted for the offence punishable under Section 302 r/w 34 of the Indian Penal Code. It was accused No.1 who was having inimical terms with deceased. He has been granted bail by this Court.

2. So far as this applicant - accused No.3 is concerned, only role attributed to him by the prosecution is that he was seen moving around on his motor-cycle to trace and find out the victim. No more role is attributed to him. He has not taken any part in the actual assault. No incriminating articles were recovered from him. As such he is entitled for bail. Hence the following order :-

**:ORDER:**

. The application is allowed.

. Applicant - Accused No.3 be released on his P.R. bond of Rs.15,000/- [Rupees Fifteen Thousand only] with one solvent surety in the like amount.

. Applicant - Accused No.3, before he is

released on bail, to furnish his permanent address to the Investigating Officer. Thereafter he will mark his presence to the concerned police station of that area once in a month in the first week till the appeal is disposed of.

. Criminal Application is disposed of.

**[D.G.DESHPANDE,J]**

**[V.K.TAHILRAMANI,J]**